

REMARKS

By the foregoing Amendment, Claim 27 has been amended, and Claims 33 and 34 have been cancelled. Claims 27-32 and 35 remain pending. Favorable reconsideration of the application is respectfully requested.

Claims 27, 28 and 31-35 were rejected under 35 U.S.C. §103(a) on the grounds of obviousness from Briles in view of Bogatz and further in view of Dixon and Garvey (US 4,979,279). The Examiner indicated that Garvey discloses "a swaging tool including an outer nut (58) engaged with an anvil (60) which is located at least partly within the outer nut and since both are circular they would be rotatable relative to one another and an outer sleeve (62) threadedly engaged with the nut. The outer sleeve extends to the end of the anvil (opposite the nut). Furthermore a swage tool (26) is received in the anvil." At column 2, line 40, Garvey identifies element 26 as the anvil, not a swage tool, and at column 3, line 3, Garvey identifies element 60 as an annular retainer, not an anvil. Further, as is shown in Fig. 1 of Garvey, nut 62 extends past the annular retainer ring 60, but not to the end of the anvil 26 at the opening 28.

Claim 27 has been amended to clarify the wording of the claim and for consistency, and to recite "a swaging tool assembly including a swage tool received in and engaged with an anvil, said swage tool having an entrance aperture at one end of said swage tool," and "said outer sleeve provided over said outer nut and extending to the bottom end of said anvil and said swage tool collar entrance aperture at said one end of said swage tool." Support for the amendment can be found in the specification at page 7, lines 16-24; page 8, line 24 to page 9, line 3; and in Figs. 7A and 7D. It is respectfully submitted that Garvey does not disclose an outer sleeve over an outer nut and extending to the end of the anvil at the swage tool collar entrance aperture. Further, the Examiner indicated that a swage tool (26) is received in the anvil, but it is noted that in Garvey element 26 is the anvil. Garvey does not disclose a swage tool in addition to the anvil 26. It is therefore respectfully submitted that the claims as amended patentably distinguish the combination of Briles, Bogatz, Dixon and Garvey, and that the rejection of Claims 27, 28 and 31-35 on the grounds of obviousness from Briles, in view of Bogatz and further in view of Dixon and Garvey, should be withdrawn.

Claims 29 and 30 were rejected under 35 U.S.C. §103(a) on the grounds of obviousness from modified Briles as applied above (Briles in view of Bogatz and further in view of Dixon and Garvey) and further in view of Rath, which was cited as disclosing a collar made of aluminum or titanium. Claims 29 and 30 depend from Claim 27, and in view of the foregoing amendments and remarks, it is respectfully submitted that the claims as amended patentably distinguish the combination of Briles, Bogatz, Dixon, Garvey and Rath, and that the rejection of Claims 29 and 30 on the grounds of obviousness from modified Briles (Briles in view of Bogatz and further in view of Dixon and Garvey) and further in view of Rath should be withdrawn.

In light of the foregoing amendments and remarks, it is respectfully submitted that the application should now be in condition for allowance, and an early favorable action in this regard is respectfully requested.

The Commissioner is authorized to charge any deficiencies or fees in connection with this amendment to Deposit Account No. 06-2425.

Respectfully submitted,

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